

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

PORLTAND PILOTS, INC.,)	Civil Action No. 2:15-cv-00442-DBH IN ADMIRALTY
)	
Plaintiff,)	
)	
v.)	
)	
NOVA STAR, <i>in rem</i> ,)	
)	
Defendant,)	
)	
WORLD FUEL SERVICES, INC.,)	
)	
Movant,)	
-----)	
BROWN SHIP SERVICES,)	
)	
Plaintiff-in-Intervention,)	
)	
v.)	
)	
M/V NOVA STAR, <i>in rem</i> ,)	
and)	
NOVA STAR CRUISES, LTD., <i>in</i>)	
<i>personam</i>)	
)	
Defendant,)	

BROWN SHIP SERVICES MOTION FOR SUPPLEMENTAL
WARRANT OF ARREST OF
VESSEL M/V NOVA STAR

Pursuant to Rule C of the Supplemental Rules for Certain Admiralty and Maritime Claims (“Admiralty Rules”), plaintiff-in-intervention, Brown Ship Services (“Brown”), moves for an order authorizing the Clerk to issue a supplemental warrant of arrest of the defendant vessel *Nova Star*, all in conformity with previous orders of this Court regarding arrest of this vessel.

Rule C of the Supplemental Rules of Certain Admiralty and Maritime Claims provides in pertinent part as follows:

- (1) **Judicial Authorization and Process.** Except in actions by the United States for forfeitures or federal statutory violations, the verified complaint and any supporting papers shall be reviewed by the court and, if the conditions for an action *in rem* appear to exist, an order so stating and authorizing a warrant for the arrest of the vessel or other property that is the subject of the action shall issue and be delivered to the clerk who shall prepare the warrant and deliver it to the marshal for service....

In support of its motion, Brown relies upon the factual premises set forth in its verified complaint submitted with this motion, which includes a claim *in rem* to enforce a maritime lien against *Nova Star*. The Defendant vessel is now within this District and the jurisdiction of this Court. As a result, Plaintiffs respectfully submit that the conditions set forth in the Rule have been met, and Plaintiff Brown is therefore entitled to the relief prayed for herein. Brown attaches a draft Order for Arrest and Notice, and a draft Warrant for arrest.

In the event that *Nova Star* is not released from arrest within ten days of the original arrest, the arresting plaintiff will be obliged to give public notice per Admiralty Rule C(4). If the initiating plaintiff, Portland Pilots, Inc., no longer maintains an *in rem* claim against *Nova Star* at that time, Brown asks that it be permitted to cause the appropriate notice to be given, pursuant to the terms of the Court's existing order for notice.

WHEREFORE, Brown respectfully requests that the Court allow its Motion and enter an Order in the form of Exhibit 1, authorizing and directing the Clerk to issue a warrant for arrest, a form for which is provided as Exhibit 2.

DATED at Portland, Maine this 4th day of November, 2015.

/s/ Michael Kaplan
Michael Kaplan
Attorney for Brown Ship Services

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CERTIFICATE OF SERVICE

I hereby certify that on November 4, 2015 I made due service of Brown Ship Services Motion For Supplemental Warrant of Arrest of Vessel *M/V Nova Star* by electronically filing with the Clerk of Court using the CM/ECF system

/s/ Michael Kaplan
Michael Kaplan
Attorney for Brown Ship Services